Conference on Disarmament

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English

Final record of the one thousand two hundred and eighty-fifth plenary meeting
Held at the Palais des Nations, Geneva, on Tuesday, 14 May 2013, at 10.15 a.m.

President: Mr. Triyono Wibowo ..... (Indonesia)

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The President: I declare open the one thousand two hundred and eighty-fifth plenary meeting of the Conference on Disarmament. Before we proceed, I would like to bid farewell to our colleagues Ambassador Christian Strohal of Austria, Ambassador Seyed Mohammed Reza Sajjadi of Iran, Ambassador Mohammed Ali Alhakim of Iraq and Ambassador Moncef Baati of Tunisia, to whom I would like to wish success and satisfaction in their new assignments.

At the same time, I would like to extend a warm welcome to Ambassador Thomas Hajnoczi of Austria and Ambassador Mohammad Sabir Ismail of Iraq, who have reassumed their responsibilities as representatives of their governments to the Conference and are with us today. On behalf of my own Government and on behalf of the Conference, I assure you of our full cooperation and support.

Before we discuss our substantive issue this morning, I would like to convey to you several items of information. First, during the seven weeks' recess of the Conference, I managed to consult with almost all member States to seek their views on the most viable step forward for the Conference, in particular with respect to the programme of work.

These are the results of my intensive consultations: there are at least four different views on the issues. First, I received strong encouragement from some member States of the Conference to come up with a balanced and comprehensive programme of work based on some previous documents, particularly documents CD/1864, CD/1933/Rev.1 and CD/1948.

Some member States advised me to produce a simplified programme of work, meaning a programme of work without a negotiating mandate. While some other member States could not go along with a simplified programme of work, they highlighted the need to have a negotiating mandate in the programme of work. However, yet other member States recommended that we should not produce a programme of work and said that current conditions were not conducive to securing consensus and that another failure to reach consensus on a programme of work would add to frustration and reduce the credibility of the Conference.

After consultations with member States on the possible elements for a draft programme of work, and taking into consideration their concerns and positions, I have decided to formulate a draft programme of work based on previous documents, particularly document CD/1864. I shall try my utmost to make the draft programme of work a balanced and comprehensive one.

This is my sincere attempt to bridge different stances among member States of the Conference on Disarmament and to find a middle ground on four core issues, namely nuclear disarmament, a fissile material cut-off treaty, prevention of an arms race in outer space and negative security assurances. For the time being, I am still consulting with the member States concerned to get their preliminary views on the draft programme of work.

The second issue that I would like to share with you is that during the recess of the Conference on Disarmament, at the request of the Ambassador of the Czech Republic, in her capacity as the coordinator of the informal group of observer States (IGOS), I also held a bilateral meeting to brief her on the progress and development of the Conference on Disarmament. During the meeting the Ambassador again requested the participation of the IGOS at the presidential consultations with the six presidents of the session and regional coordinators. While I believe that it would not be a problem for the President to share all the issues discussed in the Conference on Disarmament with the IGOS in an informal meeting, there is an established practice with regard to the presidential consultations that we should adhere to. Therefore the IGOS request to participate in the presidential consultations is, in my view, for the time being rather difficult to accommodate.

Today the plenary is to deal with two themes: first, agenda item 5 (new types of weapons of mass destruction and new systems of such weapons; radiological weapons), and, second, agenda item 6 (comprehensive programme of disarmament). Before we begin our substantive discussion on the topic, I would like to enquire whether any delegation wishes to raise any other issues. That appears not to be the case.

We have two delegates who want to speak under agenda items 5 and 6. I will not structure the debate, because I wish to leave the delegations free as to the aspects that they wish to address under this topic. At the same time, I would like all delegations to make the discussion as interactive as possible.

We have two delegations on the list of speakers, the delegation of France and the delegation of Belarus. I now give the floor to the delegation of France.

Mr. Simon-Michel (France) (*spoke in French*): Mr. President, I would like to speak about the issue of the "comprehensive programme of disarmament". This issue is linked to the central goal of "general and complete disarmament". General and complete disarmament has been on the agenda of the United Nations General Assembly for more than 50 years and is a priority in the work of all the institutions that form part of the disarmament machinery, in particular the Conference on Disarmament. At the first special session of the General Assembly devoted to disarmament, held in 1978, it was stressed that "the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control". Many General Assembly resolutions take their inspiration from this agenda item. The idea of general and complete disarmament is also taken up in many disarmament treaties, beginning, of course, with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

In article VI of the Treaty, to which France attaches particular importance, nuclear disarmament is referred to in the framework of general and complete disarmament. This means that nuclear disarmament must not lead to a different kind of arms race, especially one involving conventional weapons, and that nuclear disarmament cannot be achieved without simultaneous progress in other areas of disarmament (biological, chemical and conventional weapons).

It also means that progress on nuclear disarmament cannot be achieved independently of the overall strategic context. This point is also made in the first paragraph of Security Council resolution 1887 of 2009. Although there has been significant progress in relation to weapons of mass destruction, the same cannot be said for other areas of disarmament.

With the NPT, the Biological Weapons Convention, the Chemical Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty — I am listing these treaties, which were all drafted by the Conference on Disarmament, in chronological order — we have a strong set of conventions on weapons of mass destruction. It is true that there is still much work to be done to secure universal ratification, and France calls on all States that have not yet done so to ratify these conventions. I welcome the success of the Third Review Conference of the States Parties to the Chemical Weapons Convention, which was an unquestionable achievement in the field of disarmament and non-proliferation. That conference reminded us that the existence of chemical weapons in Syria is cause for serious concern among the international community.

It is also true that more work on nuclear disarmament is needed. In this connection, France calls for the immediate commencement of negotiations at the Conference on Disarmament on a treaty banning the production of fissile material for nuclear weapons. Following on from the establishment of the Comprehensive Nuclear-Test-Ban Treaty, which enabled action to be taken on the qualitative component of nuclear disarmament, the next logical step is to take action on the quantitative component, meaning the material used

to manufacture nuclear weapons. However, the fact remains, as I have said, that we already have a solid foundation of instruments relating to weapons of mass destruction.

The results are more mixed when it comes to the proliferation of delivery systems for weapons of mass destruction, and to conventional disarmament. Such weapons have long been the subject of initiatives of limited scope in the global context (for example, the United Nations Register of Conventional Arms) or of regional treaties (for example, those drawn up by the Organization for Security and Co-operation in Europe). We have seen significant progress during the past decade, in particular last year, which we welcome.

The threat to international peace and security posed by the proliferation of missiles capable of delivering weapons of mass destruction has been repeatedly stressed by the Security Council, particularly in its resolutions 1540 (2004), 1887 (2009) and 1977 (2011). France fully supports the Hague Code of Conduct against Ballistic Missile Proliferation, which as of last year had been in force for 10 years. It calls for universal endorsement of the Code and underlines its importance for strengthening transparency in regard to ballistic missiles.

With regard to conventional disarmament, we welcome the adoption this year of the Arms Trade Treaty, which was adopted by the General Assembly a few weeks ago, and by a very large majority. The Treaty enables the regulation of one of the few areas of international trade that has, until this point, remained outside the scope of multilateral agreements. It will contribute significantly to international peace and security thanks to its twofold focus – the regulation of legitimate trade and the fight against illicit trafficking.

With regard to weapons that have an unacceptable humanitarian impact, France will preside this year over the Meeting of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects. The Convention is a crucial instrument in the field of conventional disarmament since it unites all the major military powers. France will endeavour to pursue its universal ratification. France is also an active State party to the Ottawa Convention on anti-personnel landmines and the Oslo Convention on Cluster Munitions, which France was one of the first States to ratify.

France is particularly concerned by small arms and light weapons, which cause the greatest number of deaths around the world and seriously undermine stability in certain regions of the world. They have often been likened to weapons of mass destruction in certain vulnerable States, and Africa in particular, and we still have only political instruments at our disposal. Last September's conference to review progress in the implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was a success.

These areas — disarmament and the control of conventional weapons — are crucial from my country's point of view, and we call for the continued mobilization of the international community. In that regard, allow me to stress that the Arms Trade Treaty was negotiated by an ad hoc conference set up by the General Assembly, and not by the Conference on Disarmament. Nevertheless, the Conference on Disarmament also has a mandate on which we could draw to see how we can revitalize our institution. The Conference needs to pay greater attention to the problem of conventional weapons, given the impact of their use on the ground and the implications of the accumulation of these weapons for regional and international security and stability. Obviously, the issues of disarmament and arms control are intertwined and must be addressed through a holistic approach.

The President: I thank Ambassador Simon-Michel for his statement. I now invite Mr. Grinevich of Belarus to take the floor.

Mr. Grinevich (Belarus) (*spoke in Russian*): The Republic of Belarus is of the view that the issues of highest priority for our negotiating forum continue to be the first four items on the Conference agenda.

We believe that action by the Conference in other areas will be possible only insofar as these core issues are resolved.

Furthermore, Belarus considers it appropriate to retain item 5 (new types of weapons of mass destruction and new systems of such weapons; radiological weapons) of the Conference agenda in its current wording.

Belarus has traditionally sponsored resolutions in the United Nations General Assembly on the prohibition of the development and production of new types of weapons of mass destruction and new systems of such weapons.

We are grateful to those delegations that supported the draft resolution on that issue during the sixty-sixth session of the General Assembly. We would like to express particular gratitude to those States that co-sponsored the resolution.

Guided by General Assembly resolution 66/21 of 2 December 2011, Belarus supports the proposals previously put forward at the Conference regarding the development of a universal international treaty or convention on the prohibition of the development and production of new types of weapons of mass destruction and new systems of such weapons.

We believe that the drafting and adoption of such an international legal instrument would be in the interests of the international community. We are of the view that such a document could create a solid legal foundation for countering the development and production of new types of weapons of mass destruction. As advocates of a preventive approach, we believe that the international community should take all possible measures to draw up such an international legal instrument before the use of new types of weapons of mass destruction becomes a reality.

However, being realistic, we believe that a detailed discussion of the prohibition of new types of weapons of mass destruction will become possible only after the resolution, step by step, of the core issues on the Conference agenda. It will be possible to start negotiations on a comprehensive ban on new types of weapons of mass destruction only when there is a broad international consensus on the issue, including support for the process on the part of all key States.

It should be noted that current international law already contains a number of important standards that are directly related to the issue of new types of weapons of mass destruction.

We view the provisions of Protocol I additional to the Geneva Conventions, of 8 June 1977, as providing an important legal basis for countering the development and production of new types of weapons of mass destruction.

In particular, article 36 of the Protocol stipulates: "In the study, development, acquisition or adoption of a new weapon, means or method of warfare, a High Contracting Party is under an obligation to determine whether its employment would, in some or all circumstances, be prohibited by this Protocol or by any other rule of international law applicable to the High Contracting Party."

Another key instrument is the 1976 Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques. The Convention prohibits the deliberate manipulation of natural processes capable of inducing such phenomena as earthquakes, hurricanes, tsunamis, tidal waves or changes in climate.

We note that no conferences to review the implementation of that convention have taken place since 1992.

In that regard, Belarus supports the efforts of the international community to ensure the universality of the aforementioned legal instruments and strict compliance with the provisions of those instruments by all States parties.

The President: I thank Mr. Grinevich for his statement. I now invite Ambassador Mehta of India to take the floor.

Ms. Mehta (India): Mr. President, I would like to begin by expressing my deep appreciation for your efforts in continuing the discussions on all agenda items of the Conference on Disarmament, as well as for your ongoing consultations with the aim of finding consensus on a programme of work for this year's session. On this occasion, I would also like to welcome our colleagues Ambassador Ismail and Ambassador Hajnoczi.

I would like to reiterate very briefly India's position on agenda items 5 and 6. Agenda item 5 (new types of weapons of mass destruction and new systems of such weapons; radiological weapons) has broad scope, but I would like to focus on radiological weapons and the threat of terrorists acquiring weapons of mass destruction.

The issue of radiological weapons has been on the agenda of the Conference since 1979 and was considered in working groups from 1980 to 1983 and in ad hoc committees from 1984 to 1992. The international community has taken a number of measures to protect and secure nuclear and radiological materials. The International Convention for the Suppression of Acts of Nuclear Terrorism makes unlawful possession of radioactive material an offence and enjoins States parties to adopt measures to establish as criminal acts the offences set forth in the Convention.

The International Atomic Energy Agency (IAEA) has taken steps to improve the regulatory framework for nuclear security, and the Convention on the Physical Protection of Nuclear Material has been broadened and strengthened, as has the Code of Conduct on the Safety and Security of Radioactive Sources. United Nations Security Council resolution 1540 (2004), the Global Initiative to Combat Nuclear Terrorism and the nuclear security summits have also made important contributions on this topic.

India has participated in and contributed to international efforts related to nuclear security. India hosted a "sherpa meeting" of the Nuclear Security Summit in January 2012 and a workshop under Security Council resolution 1540 on building new synergies on nuclear security in November 2012. India has contributed US$ 1 million to the IAEA Nuclear Security Fund. We look forward to the international conference on nuclear security to be organized by IAEA in July of this year and hope that it will strengthen coordination and complementarity among various nuclear security activities.

As a victim of terrorism, India is fully cognizant of the catastrophic dangers that transfers of weapons of mass destruction to terrorists and non-State actors could entail. We have taken the lead since 2002 in sponsoring the United Nations General Assembly resolution on measures to prevent terrorists from acquiring weapons of mass destruction. This consensus text highlights the concerns of the international community with regard to terrorism relating to weapons of mass destruction and calls upon all Member States to take measures aimed at preventing terrorists from acquiring such weapons.

The international community must join hands in eliminating the risks relating to sensitive materials and technologies falling into the hands of terrorists and non-State actors, including through clandestine proliferation networks.

We believe that the Conference on Disarmament should continue consideration of its agenda item 5 with a view to achieving one or more international instruments that would

address the threat posed by new types of weapons of mass destruction, including radiological weapons.

On agenda item 6 (comprehensive programme of disarmament) we note that the first special session of the General Assembly devoted to disarmament stressed the need to prepare, through agreed procedures, a comprehensive programme of disarmament. After passing through all the necessary stages, that programme should lead to general and complete disarmament under effective and international control, as the ultimate goal of all efforts exerted in the field of disarmament.

We believe that the intent of this agenda item is to elaborate a programme which would place specific measures relating to disarmament into a carefully considered plan, setting out objectives, priorities and time frames, with a view to disarmament being achieved on a progressive basis. A comprehensive programme would consider not only nuclear disarmament, which remains the highest priority of the international community, but also other weapons and weapon systems which are crucial for maintaining international peace and security.

It is of the utmost importance that the principles of a comprehensive programme of disarmament should be universally applicable and relevant. In this regard the Conference would play an important role as the sole multilateral disarmament negotiating forum with the mandate to negotiate legally binding instruments of global applicability. In this way, the central role and primary responsibility of the United Nations in the sphere of disarmament, in accordance with the Charter of the United Nations, would be strengthened.

The President: I thank Ambassador Mehta for her statement. Is there any other delegation that would like to take the floor? I give the floor to the representative of Portugal.

Mr. Miranda Duarte (Portugal): Mr. President, as this is the first time that we have taken the floor under your presidency, let me take this opportunity to pledge to you and to your team the support of this delegation. And, with your indulgence, may I very briefly address the request of the informal group of observer States (IGOS) mentioned a while ago in this meeting.

Bearing in mind the dire situation of the Conference on Disarmament — which, by the way, has persisted for about 14 years — in our view the way ahead, the way to move forward, is to be more open, more transparent and maybe even more inclusive. Considering today's weather, the Conference on Disarmament needs to open its windows and let the light come in, and not the other way around. In this regard, my delegation regrets that the IGOS request to take part in the informal presidential consultations cannot be met.

The President: I thank the representative of Portugal for his statement. With regard to the IGOS request, certainly there is consultation among the six presidents of the session. I believe that this request should continue to be under consideration in their consultations.

Is there any other delegation wishing to speak? I give the floor to the representative of South Africa.

Mr. Combrink (South Africa): Mr. President, following on your invitation for us to be interactive if we can, I think it is important for us to very briefly respond to some of the comments that were made in relation to the link between nuclear disarmament and general and complete disarmament that in our view contradict the agreements reached in the context of the Treaty on the Non-Proliferation of Nuclear Weapons.

From our perspective, efforts to introduce any conditions in relation to nuclear disarmament by making progress on nuclear disarmament a condition of progress with other disarmament efforts is, at the very least, inconsistent with the reaffirmation by the

2000 NPT Review Conference that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control. Nuclear disarmament is therefore a step towards that goal and should not be a condition of progress elsewhere.

The President: I thank the representative of South Africa for his statement. Are there any delegations that would like to take the floor? As that does not seem the case, I would like to thank the representatives of France, Belarus, India, Portugal and South Africa for their statements in today's plenary.

This concludes our business for today. The next plenary meeting of the Conference will be held next Tuesday, 21 May 2013, at 10 a.m. in this room. On that occasion we will hear an address by Mr. Faris Mohammed Al Mazrouei, Assistant Foreign Minister for Security and Military Affairs of the United Arab Emirates, and then the rest of the meeting will be devoted to agenda item 7, namely, transparency in armaments.

Before we close this meeting, I would like to inform delegates that Indonesia, in collaboration with the United Nations Institute for Disarmament Research, will be convening a luncheon seminar on exploring avenues to address the stalemate of the Conference on Disarmament tomorrow, 15 May, in conference room VIII of the Palais des Nations. Your participation in this luncheon seminar will be very much appreciated. The meeting stands adjourned.

The meeting rose at 10.45 a.m.